

#26

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Dakai Liu et al.

Serial No. 08/822,963

Filed: March 21, 1997

Title: VECTORS, VIRAL VECTORS AND
PACKAGING CELL LINES FOR
PROPAGATING SAME

Group Art Unit: 1636

Examiner: David Guzo

527 Madison Avenue, 9th Floor
New York, New York 10022
January 11, 2002

FILED BY EXPRESS MAIL

Commissioner of Patents and Trademarks*
Washington, D.C. 20231 Box DAC

Attention: Office of Deputy Assistant Commissioner for Patents
2121 Crystal Drive, Crystal Park 2 - Suite 913
Arlington, Virginia 22202

FAX RECEIVED

JUL 16 2003

PETITIONS OFFICE

**PETITION UNDER 37 C.F.R. §1.137(b) TO REVIVE
AN UNINTENTIONALLY ABANDONED APPLICATION**

Dear Sirs:

Applicants submit this Petition to the Commissioner under the provisions of 37 C.F.R. §1.137(b) to revive the above-identified application in which taking action was unintentionally delayed. A response to the previously issued October 11, 2001 Office Action was originally due on January 11, 2001. Upon the expected granting of this Petition, the accompanying response in the form of a Request for Continued Prosecution (RCE) will be considered as having been timely

07/23/2003 AKE/ld 00000008 051135 08822963

01 FC:2453 640.00 DA
02 FC:2801 370.00 DA

* In accordance with the November 16, 2001 Notification Related to United States Postal Service Interruption, this paper and all attachments are being sent by Express Mail to: U.S. Patent and Trademark Office, P. O. Box 2327, Arlington, VA 22202. See *Suspension of the "Express Mail" Service of United States Postal Service for mail addressed to ZIP Codes 202xx through 205xx.*

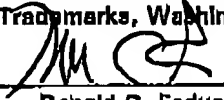
Enz-5(C4)

Dakai Liu et al.

Serial No. 08/822,963

Filed: March 21, 1997

Page 2 (Petition Under 37 C.F.R. §1.137(b) to Revive An Unintentionally
Abandoned Application - January 11, 2002)

EXPRESS MAIL CERTIFICATE	
"Express Mail" Label No.	<u>EL869104801US</u>
Deposit Date	<u>January 11, 2002</u>
I hereby certify that this paper and the attachments herein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington DC 20231.	
 Ronald C. Fedus Reg. No. 32,567	<u>JAN 11 2002</u> Date

Enz-5(C4)

Dakai Liu et al.

Serial No. 08/822,963

Filed: March 21, 1997

Page 3 (Petition Under 37 C.F.R. §1.137(b) to Revive An Unintentionally Abandoned Application – January 11, 2002)

The above-identified application became unintentionally abandoned after January 11, 2001, which was the date that a response to the October 11, 2000 Office Action was originally due. A Notice of Abandonment was subsequently issued on May 9, 2001, a copy of which is attached to this paper as Exhibit 1.

It is hereby requested that this application be revived because the entire delay in filing the response to the October 11, 2000 Office Action until the filing of this Petition was unintentional. A Terminal Disclaimer To Accompany Petition is attached to this paper as Exhibit 2.

As indicated above, a response to the October 11, 2000 Office Action in the form of a Request for Continued Prosecution (RCE) is being submitted concurrently herewith and is attached as Exhibit 3. Applicants' RCE also includes an accompanying Submission (Amendment) and an Information Disclosure Statement (IDS) attached as Exhibits A and B to their RCE (Exhibit 3).

The fee for filing a Petition to Revive an Unintentionally Abandoned Application Under 37 C.F.R. §1.137(b) is \$620.00 for a small entity. Small entity status was previously established in this application and is still applicable. The Patent and Trademark Office is hereby authorized to charge Deposit Account No. 05-1135 for the requisite large entity fee of \$620.00. The Patent and Trademark Office is further authorized hereby to charge Deposit Account No. 05-1135 for any other fees required in connection with this Petition, the attached RCE, Submission (Amendment), and the IDS, or to credit any overpayment thereto.

A duplicate copy of this Petition but without attached Exhibits 1-3 is also submitted herewith.

Dakai Liu et al.

Serial No. 08/822,963

Filed: March 21, 1997

Page 4 (Petition Under 37 C.F.R. §1.137(b) to Revive An Unintentionally
Abandoned Application – January 11, 2002)

Favorable action on this Petition is earnestly solicited.

Respectfully Submitted,



Ronald C. Fedus

Registration No. 32,567

Attorney for Applicants

ENZO THERAPEUTICS, INC.
c/o Enzo Biochem, Inc.
527 Madison Avenue (9th Fl.)
New York, New York 10022
Telephone: (212) 583-0100
Fax: (212) 583-0150

Enzo Biochem, Inc.
527 Madison Avenue
New York, NY 10022
212.583.0100
fax. 212.583.0150



facsimile cover letter

Date: July 16, 2003
To: Cliff Congo
Company: U.S. Patent and Trademark Office
Fax number: 703-308-6916
From: Natalie Bogdanos
Our Ref.: ENZ-56(C)

number of pages (includes cover sheet): 48

If transmission is incomplete or illegible, please call (212) 583-0100 or FAX (212) 583-0150 as soon as possible.

FAX RECEIVED
JUL 16 2003
PETITIONS OFFICE

Please date stamp and return to addressee.

APPLICANT: DAKAI LIU ET AL.		Express Mail Label No. EL869104801US
TITLE: VECTORS, VIRAL VECTORS AND PACKAGING CELL LINES FOR PROPAGATING SAME		<input type="checkbox"/> First Class Mailing Date
ENCLOSED ARE: <input type="checkbox"/> Application <input type="checkbox"/> Response to OA <input type="checkbox"/> Declaration <input checked="" type="checkbox"/> Amendment (SUBMISSION) <input type="checkbox"/> Drawings <input type="checkbox"/> Issue Fee <input type="checkbox"/> Assignment <input checked="" type="checkbox"/> Other (see below)		DATE MAILED: JANUARY 11, 2002
<input checked="" type="checkbox"/> PETITION UNDER 37 CFR §1.137(b) TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION		Serial No. 08/822,963
<input checked="" type="checkbox"/> INFORMATION DISCLOSURE STATEMENT		Docket No. ENZ-56 (C)
<input checked="" type="checkbox"/> REQUEST FOR CONTINUED PROSECUTION (RCE)		

Please date stamp and return to addressee.

APPLICANT: DAKAI LIU ET AL.		Express Mail Label No. EL869104801US
TITLE: VECTORS, VIRAL VECTORS AND PACKAGING CELL LINES FOR PROPAGATING SAME		<input type="checkbox"/> First Class Mailing Date
ENCLOSED ARE: <input type="checkbox"/> Application <input type="checkbox"/> Response to OA <input type="checkbox"/> Declaration <input checked="" type="checkbox"/> Amendment (SUBMISSION) <input type="checkbox"/> Drawings <input type="checkbox"/> Issue Fee <input type="checkbox"/> Assignment <input checked="" type="checkbox"/> Other (see below)		DATE MAILED: JANUARY 11, 2002
<input checked="" type="checkbox"/> PETITION UNDER 37 CFR §1.137(b) TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION		Serial No. 08/822,963
<input checked="" type="checkbox"/> INFORMATION DISCLOSURE STATEMENT		Docket No. ENZ-56 (C)
<input checked="" type="checkbox"/> REQUEST FOR CONTINUED PROSECUTION (RCE)		

FAX RECEIVED

JUL 16 2003

PETITIONS OFFICE

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Received by (Please Print Clearly) B. Date of Delivery</p>	
<p>1. Article Addressed to:</p> <p>US PATENT AND TRADEMARK OFFICE P O BOX 2327 ARLINGTON, VA 22202</p> <p>Box DAC</p>		<p>C. Signature</p> <p>X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>2. Article Number (Copy from service label)</p> <p>EL869104801US</p>		<p>D. Is delivery address different from Item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p>	
<p>PS Form 3811, July 1999</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>Domestic Return Receipt</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
		<p>102585-00-M-0852</p>	

SENDER: COMPLETE THIS SECTION		COMPLETE THIS SECTION ON DELIVERY	
<p>■ Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.</p> <p>■ Print your name and address on the reverse so that we can return the card to you.</p> <p>■ Attach this card to the back of the mailpiece, or on the front if space permits.</p>		<p>A. Received by (Please Print Clearly) B. Date of Delivery</p>	
<p>1. Article Addressed to:</p> <p>US PATENT AND TRADEMARK OFFICE P O BOX 2327 ARLINGTON, VA 22202</p> <p>Box DAC</p>		<p>C. Signature</p> <p>X <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p>	
<p>2. Article Number (Copy from service label)</p> <p>EL869104801US</p>		<p>D. Is delivery address different from Item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>If YES, enter delivery address below:</p>	
<p>PS Form 3811, July 1999</p>		<p>3. Service Type</p> <p><input type="checkbox"/> Certified Mail <input checked="" type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p>	
<p>Domestic Return Receipt</p>		<p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>	
		<p>102585-00-M-0852</p>	

FAX RECEIVED

JUL 16 2005

PETITIONS OFF